

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 20873 of 2004

Between:

D.Ramalinga Reddy, s/o D.V.S.Reddy, Chaitanya Kalasala Junior College,
Karmanghat, B.N.Reddy Nagar, R.R.District.

..... PETITIONER

AND

1 Government of Andhra Pradesh, rep., by its Principal Secretary to

Government, Higher Education Department, Secretariat, Hyderabad.

2 The Commissioner and director of Intermediate Education, Nampally,
Hyderabad.

3 Chaitanya Kalasala, rep., by its Special Officer and Deputy Vocational
Educational Officer, B.N.Reddy Nagar, Sagar Road, Rangareddy District.

4 The Regional Joint Director of Intermediate Education, Warangal.

5 Y.Venkat Rao, Junior Lecturer, Chaitanya Kalasala, B.N.Reddy Nagar, Sagar
Road, Rangareddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the proc. of the Director of Intermediate Education, A.P., Hyderabad, the 2nd respondent in Rc.No.Adm.1-A-3/1481/2004 dated 30-10-2004 and the action of the D.P.C. in selecting the 5th respondent as principal of the Chaitanya Kalasala/Junior College, Karmanghat even though the petitioner is working in the said post of principal is as illegal, arbitrary, discriminatory, unjust and without jurisdiction and subversive of Articles 14, 16 and 21 of the Constitution and is also in violation of principles of natural justice and consequently hold that the

petitioner is entitled to continue as Principal of Chaitanya Kalasala/Junior College, Karmanghat, R.R.District with all consequential benefits.

Counsel for the Petitioner: MR.E.V.S.S.ACHARYULU

Counsel for the Respondent Nos.1, 2 & 4: GP FOR HIGHER EDUCATION

Counsel for the Respondent No.5: Mr.Meher Chand Noori

The Court made the following :

ORDER:

The petitioner approached this Court by way of this writ petition seeking a direction in the form of Mandamus to declare the proceedings of second respondent dated 30-10-2004 and the action of the D.P.C in selecting the 5th respondent as Principal of the 3rd respondent-Junior College as illegal, arbitrary and is violative of Articles 14, 21 of Constitution of India.

The petitioner worked as Principal in Noble Junior College, Dilshuknagar. After closure of the said college, he was posted as Principal of Government Junior College, Halia, Nalgonda District vide proceedings dated 11-3-2002. After working for some time, the petitioner was transferred and posted as the Principal of the 3rd respondent college. Subsequently, the 2nd respondent issued the proceedings dated 30-10-2004 according permission to the 3rd respondent-Junior College for filling up of the post of Principal by way of internal promotion among their teaching staff.

It is an undisputed fact that the petitioner is not one of the candidates within the zone of consideration for the post of Principal of the 3rd respondent Junior College. His only grievance is that if the 5th respondent is appointed as Principal in 3rd respondent Junior College, he will be out of the post and if he is not accommodated as a Principal in some other institution, so much prejudice would be caused to him.

The material placed before this Court indicates that only the selection process for the post of the Principal has been completed and no further proceedings have been issued for appointment of the 5th respondent. The interim stay granted by this Court stood vacated on 29-12-2004 and therefore, it is for the

petitioner to work out his rights before the appropriate forum and he is not entitled for the relief sought for in this writ petition.

Accordingly, the writ petition is dismissed. No costs.

25-04-2005

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Copy to

1 The Principal Secretary, Government of Andhra Pradesh,

Higher Education Department, Secretariat, Hyderabad.

2 The Commissioner and director of Intermediate Education, Nampally,
Hyderabad.

3 Special Officer and Deputy Vocational Educational Officer, Chaitanya

Kalasala,B.N.Reddy Nagar, Sagar Road, Rangareddy District.

4 The Regional Joint Director of Intermediate Education, Warangal.

5. Two CCs to GP for Higher Education, High Court of AP, Hyderabad.

6. Two CD copies.